

HR 6201 Families First Coronavirus Response Act

While we strongly recommend that each employer determine the implications of this Act for themselves, there are a couple of points that we would like to share with our provider network.

- 1) Be careful determining if you are a covered employer or not. All public entities, regardless of size, are required to comply with the Act. Those employers that are not public entities must consider the applicability based on the number of employees employed.
- 2) If you have to determine if you are required to implement the Act based on employee head count, then please ensure you are determining the number of employees correctly. There is specific guidance available related to counting the number employees you have.
- 3) Carefully review your eligibility for the tax credits. If you are a public entity, you are not eligible for these credits. Reference Division G, Section 7001, e, 4 of the Act that outlines the rules related to tax credits for “Certain Government Employers”.
- 4) We have been aggressively and actively seeking assistance and clarification of the “health care provider” definition since the day the Act was passed into law. We have been seeking assistance from our national representation – Associations and Legislators. We also emailed the Department of Labor directly to request that they clarify the definition. This weekend, the Department of Labor updated their frequently asked questions to speak directly to this topic. Given the guidance, we have brought this issue to the attention Governor’s Office and State HR. We will update the provider network as soon as we know more.